

Step 1

ADR will be offered to the aggrieved party as part of the informal

EEO Process. The aggrieved party and the responsible management official (RMO) agree to mediation

Step 2

Diversity Programs & Employee Concerns Office (DPO) contacts the Justice Center of Atlanta (JCA).

Step 3

JCA provides a mediator that has experience in EEO disputes.

Step 4

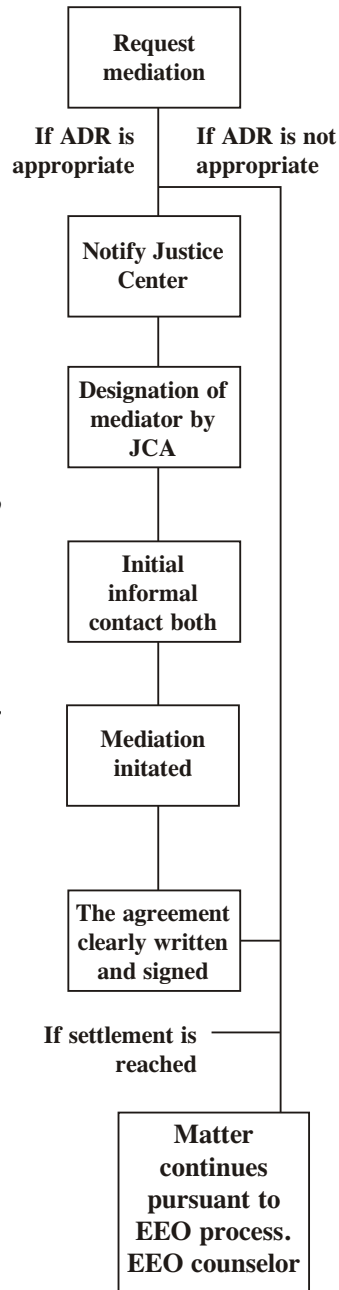
Both parties will be notified of the date, time, location, of the mediation session as well as the name of the mediator.

Step 5

The mediation process is scheduled to begin within fourteen days of contacting JCA. The mediation process should be concluded expeditiously.

Step 6

The Terms of the agreement will be written and signed by the aggrieved party, the responsible management official and the mediator. Compliance with the signed agreement will be the final disposition of the complaint. The DPO will monitor the implementation of the agreement.



**For More Information
Contact:**

**Diversity Programs & Employee
Concerns Office**

**(865) 576-4988
FAX (865) 574-1939**

Resolving Your Equal Employment Opportunity Complaint Through

Mediation



*. . . . Fast
. . . . Effective
. . . . Inexpensive*

**U. S. Department of Energy
Oak Ridge Operations
Diversity Programs & Employee
Concerns Office**

Discrimination in the workplace:

Conflict is a normal part of daily life. But when it happens in the workplace, it can be stressful, painful, difficult and counterproductive.

Discrimination is one form of conflict. If you think you've been subjected to discrimination, what should you do? In the past, an equal employment opportunity (EEO) complaint or a formal grievance were two avenues for relief. Now, you have an additional choice for resolving your EEO complaint of discrimination - Mediation.

What is Mediation?

Mediation is a voluntary, informal process used to resolve all kinds of disputes, including EEO complaints of discrimination. In mediation, a trained, impartial third person helps the parties negotiate to resolve their dispute. Mediation emphasizes problem solving, rather than gearing up for protracted adversarial proceedings.

Mediation helps you to resolve issues in a private, confidential and timely manner. Mediation is fast - most cases reach conclusion in a matter of weeks, rather than months or years. And mediation has proved to be successful in nearly half of all EEO cases!

How Does Mediation Work?

The actual mediation process varies in each case. Generally, however, the Mediator will first meet with each party individually to explain the process, answer questions, and hear each side of the dispute.

Then, the Mediator will hold a joint session with both parties to discuss the issues. The Mediator will help the parties set ground rules, and will assist them in exploring possible solutions to the conflict.

In all cases, the decision to settle - or not to settle - remains with the parties. The Mediator cannot make decisions for the parties, and cannot impose his or her own solution on the parties. The role of the Mediator is simply to assist the parties in reaching a mutually agreeable resolution.

Who Participates in Mediation?

There are 3 key participants in any mediation: the Mediator, the complainant, and a management representative. The management representative will be someone with the authority and willingness to resolve the complaint.

Either party is free to bring a legal representative (or any other individual) to assist - but keep in mind that mediation is designed to be informal, and legal representation is not required.

What Happens if the Parties Reach Agreement?

If the parties reach an agreement, the agreement is reduced to writing, and becomes binding on all parties. The Diversity Programs & Employee Concerns Office will assist in ensuring that the agreement is honored by the Department.

How Do I Get Started?

Getting started is easy. Just contact the Diversity Programs & Employee Concerns Office by phone or in writing, to request mediation of your case. Once the parties agree to mediate their complaint, a trained Mediator will be assigned.

Your EEO complaint will be put on hold while mediation takes place, with no loss of rights or benefits to you.

What if I'm Not Happy in Mediation?

What happens if you enter mediation, but you're not satisfied with the process? Of course, you should give the process every chance to work, but if you aren't satisfied, you have the right to end mediation at any time, for any reason. Simply inform the Mediator of the decision, and mediation will cease. At that point, your EEO complaint will resume processing, with no loss of right or benefits. You risk nothing by giving mediation a try!

Mediation - The Sensible Alternative:

Mediation is so effective that the Equal Employment Opportunity Commission now routinely requires it as part of the EEO process. It's a fast, effective, inexpensive, and low-stress alternative to the standard EEO complaint process. Best of all, it works! Make it work for you.

Reasons to Use Mediation:

It's fast, saving months - or even years - over the formal EEO process.

It's informal, and doesn't require a legal representative.

It's confidential.

It reduces stress, and leads to greater job satisfaction.

It helps the parties to reach their own solution - one that works for them - rather than having a solution imposed by someone else.

It's inexpensive.

It opens lines of communication allowing the parties to better work together.

You can choose to end mediation at any time, for any reason, and re-enter the EEO process with no loss of rights or benefits.

. . . . and most of all

It works!